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EXAMINER

CHIN, BRAD Y

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,355

Applicant(s)

HEHENBERGER ET AL.

Examiner

Brad Y. Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/3/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-18,20-23,25-50,53 and 54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-18,20-23,25-50,53 and 54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informalities: In claim 11, on line 3, Applicant should amend the claim language to read, "a report, which includes generating reports...". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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2. Claims 1, 3-6, 8-9, 11-14, 18, 20-23, 25-26, 28-31, 35-38, and 40-43 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. [U.S. Patent Publication No. 2002/0147502] in view of Kippenhan et. al. [WO 01/10476].

Regarding claim 1, Price et. al. al. teach a method comprising: receiving process information from a facility via a computer network (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from waste production and vendor waste management/processing facilities via a computer network; See p.2, [0020]; See p. 5, [0084] – vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] are coupled to system 10 via the Internet, a WAN, Intranet or other known communication system). The process information relates to waste processing requirements of a waste producing facility, evaluated waste processing capabilities of a plurality of vendors (See p. 1, [0017]), processing dates, associated costs, and volume of waste components processed (See p. 4, [0075]), etc.); arranging the process information received from the facility to illustrate compliance with a process standard (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports [requires arrangement of data to create the report] to illustrate that the entity profile of the waste production and/or processing facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators); generating a report that includes the arranged process information (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports [requires arrangement of data to create the report] to illustrate that the entity profile of the waste production and/or processing facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators); and providing a network client with access to the report via the computer network, wherein the

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network client is associated with a reviewer that analyzes the report to evaluate compliance with a process standard (See p. 5, [0087] – corporate office 28 has access via the Internet and internal PCs through the network to system 10, allowing it to ensure compliance of processing facilities with the network with internal and regulatory requirements, i.e. reviewing the processing information for compliance with a process standard).

Price et. al. fail to teach that the information relates to sterilization process information and the compliance standard relates to a sterilization process standard. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for sterilization process information in order for sterilization process facilities and sterilization management facilities to manage information and illustrate compliance with internal and external local, state, and federal regulatory requirements.

Regarding claim 3, Price et. al. teach that providing access to the report includes transmitting the report to the network client via the computer network (See p. 5, [0083 & 0087] – system 10 provides access to the report by transmitting the report, upon its creation, via the computer network, e.g. over the Internet, WAN, etc., and accessible via internal PCs by the network client, e.g. the corporate office, entities 20 and 30, or vendors 40, 60, and/or 80).

Regarding claim 4, Price et. al. teach that providing access to the report includes serving a document containing the report upon request by the network client (See p. 5, [0082-0084] – upon request by an entity, e.g. network client, system 10 serves a custom report, e.g. a document, which may contain consolidated volumetric and financial data, entity profiles, by-product volumes, by-product types, recycling and reuse data, waste and environmental spending, waste producing site-level data, and entity-level data, and further may include the

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report that includes the arranged process information for allowing assurance of compliance with a process standard).

Regarding claim 5, Price et. al. teach that the document is a web page. Price et. al. teach that system 10 communicates with the network clients through PCs and commercially available web browser software, such as Microsoft Internet Explorer or Netscape Navigator (See p. 5, [0085]). Inherently, because each network client is given access to the system via the computer network, it would seem that the document containing the processing information related to a network client would be accessible via a web page of such commercially available web browser software.

Regarding claim 6, Price et. al. fail to teach that the steps of arranging the process information and generating the report, upon request by the network client, includes the step of archiving the process information. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles where the sterilization process information is stored or archived on storage medium means 30 (See p. 8, lines 5-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide for a means of storing or archiving the process information, as suggested by Kippenhan et. al., in the method of Price et. al. because archived process information could be used at a later time to compare past process information to present and future forecasted information in determining the efficiency of various entities, plants, or vendors by an audit organization, such as corporate entity 28.

Regarding claim 8, Price et. al. teach that the network client is a regulatory agency or an audit organization (See p. 5, [0083] – system 10 through step 440 generates regulatory reports for local, state or federal regulators; See p. 5, [0087] – corporate office 28 represents an audit

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organization because it is responsible for ensuring that an entity is in compliance with internal and regulatory requirements while reviewing reports on activities of multiple plants.

Regarding claim 9, Price et. al. fail to teach that the report identifies individual sterilization loads and load contents. Kippenhan et. al. teach sterilization process information, including information related to sterilization loads or packs and the contents of such loads (See p. 35, lines 8-11 – information related to standardized instrument sets, pack numbers, components of packs and set-up instructions; lines 23-25 – load for a particular pack is also identified, where a particular pack number is designed to be sterilized within a particular load). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for sterilization process information in order for sterilization process facilities and sterilization management facilities to manage information related to sterilization processes and the loads and their respective contents that are sterilized and illustrate compliance with internal and external local, state, and federal regulatory requirements for such sterilization procedures.

Regarding claim 11, Price et. al. teach that receiving process information includes receiving process information from multiple facilities (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from multiple facilities, e.g. waste production and vendor waste management/processing facilities – entity 20 with plants 22, 24, and 26; entity 30; and vendors 40, 60, and 80), and generating a report, which includes generating reports for the multiple facilities (See p. 5, [0087] – plant 22, 24, and 26 are included in the entity profile data 120 of the report, allowing the corporate office 28 to evaluate the process information of the multiple facilities via the report(s) – multiple reports could be created for each facility, e.g. plant, for the

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multiple entities and/or vendors or one report created comparing or integrating process information for the multiple entities and/or vendors).

Regarding claim 12, Price et. al. teach that generating the report includes generating the report to integrate process information received from two or more of the facilities (See p. 5, [0087] – plant 22, 24, and 26 are included in the entity profile data 120 of the report, allowing the corporate office 28 to evaluate the process information of the multiple facilities via the report(s) – multiple reports could be created for each facility, e.g. plant, for the multiple entities and/or vendors or one report created comparing or integrating process information for the multiple entities and/or vendors).

Regarding claim 13, Price et. al. teach the method further determining consumption of a quantity of a material by the facility based on the process information received from the facility; and processing an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11 receives process information from a customer. In step 1004, service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. Service provider 11 uses the process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. Service provider 11 processes the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material).

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Regarding claim 14, Price et. al. fail to teach the sterilization material includes at least one of sterilant, pack material, and indicators. Kippenhan et. al. teach sterilization material that includes a sterilant (See p. 11, lines 17-22 – sterilizing agents), pack material (See p. 35, lines 23-32 – sterilization loads and items/contents therewithin), and indicators (See p. 26, line 15 – sterilization indicator 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for managing the consumption of sterilization materials, such as sterilant, pack materials, and indicators, as taught by Kippenhan et. al., used in the sterilizing processes in a sterilization processing facility because Price et. al.'s method provides a means for processing orders for a new supply of such materials upon their consumption during process procedures.

Regarding claim 18, Price et. al. teach a system comprising: a client computer, associated with a facility, that transmits process information via a computer network (See p. 5, [0085] – personal computers (PCs) or other devices known to those of ordinary skill in the art associated with a facility, e.g. entities 20 and 30; plants, 22, 24, and 26; and vendors 40, 60, and 80, transmit process information via the computer network); and a network server that receives the process information from the client computer via the computer network (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from waste production and vendor waste management/processing facilities via a computer network; See p.2, [0020]; See p. 5, [0084] – vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] are coupled to system 10 via the Internet, a WAN, Intranet or other known communication system), arranges the process information received from the client computer to illustrate compliance with a process standard (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports [requires arrangement of data to create the report] to

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illustrate that the entity profile of the waste production and processing facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators), generates a report that includes the arranged information (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports [requires arrangement of data to create the report] to illustrate that the entity profile of the waste production and processing facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators), and provides a network client with access to the report via the computer network, wherein the network client is associated with a reviewer that analyzes the report to evaluate compliance with the process standard (See p. 5, [0087] – corporate office 28 has access via the Internet and internal PCs through the network to system 10, allowing it to ensure compliance of processing facilities with the network with internal and regulatory requirements, i.e. reviewing the processing information for compliance with a process standard).

Regarding claim 20, Price et. al. teach that the network server provides access to the report includes transmitting the report to the network client via the computer network (See p. 5, [0083 & 0087] – system 10 provides access to the report by transmitting the report, upon its creation, via the computer network, e.g. over the Internet, WAN, etc., and accessible via internal PCs by the network client, e.g. the corporate office, entities 20 and 30, or vendors 40, 60, and/or 80).

Regarding claim 21, Price et. al. teach that the network server provides access to the report includes serving a document containing the report upon request by the network client (See p. 5, [0082-0084] – upon request by an entity, e.g. network client, system 10 serves a custom report, e.g. a document, which may contain consolidated volumetric and financial data, entity profiles, by-product volumes, by-product types, recycling and reuse data, waste and

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environmental spending, waste producing site-level data, and entity-level data, and further may include the report that includes the arranged process information for allowing assurance of compliance with a process standard).

Regarding claim 22, Price et. al. teach that the document is a web page. Price et. al. teach that system 10 communicates with the network clients through PCs and commercially available web browser software, such as Microsoft Internet Explorer or Netscape Navigator (See p. 5, [0085]). Inherently, because each network client is given access to the system via the computer network, it would seem that the document containing the processing information related to a network client would be accessible via a web page of such commercially available web browser software.

Regarding claim 23, Price et. al. fail to teach that the network server archives the sterilization process information when it arranges the process information and generates the report upon request by the network client. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles where the sterilization process information is stored or archived on storage medium means 30 (See p. 8, lines 5-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide for a means of storing or archiving the process information, as suggested by Kippenhan et. al., in the method of Price et. al. because archived process information could be used at a later time to compare past process information to present and future forecasted information in determining the efficiency of various entities, plants, or vendors by an audit organization, such as corporate entity 28.

Regarding claim 25, Price et. al. teach that the network client is a regulatory agency or an audit organization (See p. 5, [0083] – system 10 through step 440 generates regulatory reports for local, state or federal regulators; See p. 5, [0087] – corporate office 28 represents an

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audit organization because it is responsible for ensuring that an entity is in compliance with internal and regulatory requirements while reviewing reports on activities of multiple plants.

Regarding claim 26, Price et. al. fail to teach that the report identifies individual sterilization loads and load contents. Kippenhan et. al. teach sterilization process information, including information related to sterilization loads or packs and the contents of such loads (See p. 35, lines 8-11 – information related to standardized instrument sets, pack numbers, components of packs and set-up instructions; lines 23-25 – load for a particular pack is also identified, where a particular pack number is designed to be sterilized within a particular load). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for sterilization process information in order for sterilization process facilities and sterilization management facilities to manage information related to sterilization processes and the loads and their respective contents that are sterilized and illustrate compliance with internal and external local, state, and federal regulatory requirements for such sterilization procedures.

Regarding claim 28, Price et. al. teach that the system includes multiple client computers that transmit process information for multiple facilities (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from multiple facilities, e.g. waste production and vendor waste management/processing facilities – entity 20 with plants 22, 24, and 26; entity 30; and vendors 40, 60, and 80), and network server generates multiple reports for the multiple facilities (See p. 5, [0087] – plant 22, 24, and 26 are included in the entity profile data 120 of the report, allowing the corporate office 28 to evaluate the process information of the multiple facilities via the report(s) – multiple reports could be created for each facility, e.g. plant, for the multiple

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entities and/or vendors or one report created comparing or integrating process information for the multiple entities and/or vendors).

Regarding claim 29, Price et. al. teach that the network server generates a report that integrates process information received from client computers associated with two or more of the facilities (See p. 5, [0085 & 0087] – the network server of system 10 generates a report that integrates information received from the PCs associated with two or more facilities, such as plants 22, 24, and 26, which are included in the entity profile data 120 of the report, allowing the corporate office 28 to evaluate the process information of the multiple facilities via the report(s) – multiple reports could be created for each facility, e.g. plant, for the multiple entities and/or vendors or one report created comparing or integrating process information for the multiple entities and/or vendors).

Regarding claim 30, Price et. al. teach the system, wherein the network server determines consumption of a quantity of a material by the facility based on the process information received from the facility; and processes an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11, associated with a network and network server, receives process information from a customer. In step 1004, the network server allows service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. The network server allows service provider 11 to process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. The network server allows service provider 11 to process the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of

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the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material). Price et. al. fail to teach that the material, process information, and facility pertain to sterilization materials, sterilization process information, and sterilization facilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system of Price et. al. for sterilization process information in order for sterilization process facilities to replenish consumed resources or materials used in the processes of the facility.

Regarding claim 31, Price et. al. fails to teach the sterilization material includes at least one of sterilant, pack material, and indicators. Kippenhan et. al. teach sterilization material that includes a sterilant (See p. 11, lines 17-22 – sterilizing agents), pack material (See p. 35, lines 23-32 – sterilization loads and items/contents therewithin), and indicators (See p. 26, line 15 – sterilization indicator 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for managing the consumption of sterilization materials, such as sterilant, pack materials, and indicators, as taught by Kippenhan et. al., used in the sterilizing processes in a sterilization processing facility because Price et. al.'s system provides a means for processing orders for a new supply of such materials upon their consumption during process procedures.

Regarding claim 35, Price et. al. al. teach a method comprising: receiving process information from a facility via a computer network (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from waste production and vendor waste management/processing facilities via a computer network; See p.2, [0020]; See p. 5, [0084] – vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] are coupled to system 10 via the Internet, a WAN,

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Intranet or other known communication system). The process information relates to waste processing requirements of a waste producing facility, evaluated waste processing capabilities of a plurality of vendors (See p. 1, [0017]), processing dates, associated costs, and volume of waste components processed (See p. 4, [0075]), etc.); determining consumption of a quantity of a material by the facility based on the process information received from the facility; and processing an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11 receives process information from a customer. In step 1004, service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. Service provider 11 uses the process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. Service provider 11 processes the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material). Price et. al. fails to teach that the material, process information, and facility pertain to sterilization materials, sterilization process information, and sterilization facilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the method, as taught by Price et. al. for sterilization process information, as taught by Kippenhan et. al., because Price et. al. teaches the determination of a consumption of a material and processing an order for replenishing the consumed material based on received process information via a computer network, where such a method used with Kippenhan et. al. provides a user with the ability to determine the

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consumption of sterilization process information in the processes of Kippenhan et. al. and further to replenish the sterilization materials used in such processes.

Regarding claim 36, Price et. al. fails to teach the sterilization material includes at least one of sterilant, pack material, and indicators. Kippenhan et. al. teach sterilization material that includes a sterilant (See p. 11, lines 17-22 – sterilizing agents), pack material (See p. 35, lines 23-32 – sterilization loads and items/contents therewithin), and indicators (See p. 26, line 15 – sterilization indicator 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and method of Price et. al. for managing the consumption of sterilization materials, such as sterilant, pack materials, and indicators, as taught by Kippenhan et. al., used in the sterilizing processes in a sterilization processing facility because Price et. al.'s system provides a means for processing orders for a new supply of such materials upon their consumption during process procedures.

Regarding claim 37, Price et. al. teach the transmission of material information to the client via the computer network (See p. 5, [0083] – transmission of information, e.g. regulatory reports, as needed, via the computer network of system 10; See p. 8, [0119]), but fails to teach that the sterilization material includes electronic information for generation of a printed indicator. Kippenhan et. al. teach a system which stores electronic information relating to at least two types of sterilization procedures, at least two different types of sterilization sensitive indicating inks corresponding to the sterilization procedures, e.g. inks for creating chemical integrator and inks for creating a process indicator), and at least one pattern for printing the inks, e.g. the bar code 405, a rectangular strip 406, or a custom designed shaped for the ink 407 (See col. 24, lines 27-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Price et. al. and Kippenhan et. al. because the method of Price et. al. could be used to determine the consumption of electronic information

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used for the generation of a printed indicator, as taught in Kippenhan et. al., based on process information received through the network from a client, where the determination of the consumed quantity triggers the processing of an order for an additional quantity of the electronic information transmitted to the client via the computer network.

Regarding claim 38, Price et. al. teach the delivery of a quantity of a material to the client (See p. 8, [0119-0120] – service provider 11 evaluates possible suppliers to respond to a customer's order, which results in the delivery of a quantity of material to the customer), but fails to teach the sterilization material includes self-indicating ink. Kippenhan et. al. teach a system which stores electronic information relating to at least two types of sterilization procedures, at least two different types of sterilization sensitive indicating inks corresponding to the sterilization procedures, e.g. inks for creating chemical integrator and inks for creating a process indicator), and at least one pattern for printing the inks, e.g. the bar code 405, a rectangular strip 406, or a custom designed shaped for the ink 407 (See col. 24, lines 27-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the method of Price et. al. to process an order for an additional quantity of material, such as the self-indicating inks of Kippenhan et. al., in response to a determination of consumption of the self-indicating inks, as taught by Price et. al.

Regarding claim 40, Price et. al. teach a system comprising: a client computer, associated with a facility, that transmits process information via a computer network (See p. 5, [0085] – personal computers (PCs) or other devices known to those of ordinary skill in the art associated with a facility, e.g. entities 20 and 30; plants, 22, 24, and 26; and vendors 40, 60, and 80, transmit process information via the computer network); and a network server that receives the process information from the client computer via the computer network (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the

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production and management of waste components from waste production and vendor waste management/processing facilities via a computer network; See p.2, [0020]; See p. 5, [0084] – vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] are coupled to system 10 via the Internet, a WAN, Intranet or other known communication system), determines consumption of a quantity of a material by the facility based on the process information received from the facility, and processes an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11 receives process information from a customer. In step 1004, service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. Service provider 11 uses the process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. Service provider 11 processes the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material). Price et. al. fails to teach that the material, process information, and facility pertain to sterilization materials, sterilization process information, and sterilization facilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system of Price et. al. for sterilization process information in order for sterilization process facilities to replenish consumed resources or materials used in the processes of the facility.

Regarding claim 41, Price et. al. fails to teach the sterilization material includes at least one of sterilant, pack material, and indicators. Kippenhan et. al. teach sterilization material that

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includes a sterilant (See p. 11, lines 17-22 – sterilizing agents), pack material (See p. 35, lines 23-32 – sterilization loads and items/contents therewithin), and indicators (See p. 26, line 15 – sterilization indicator 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system of Price et. al. because such a system would have provided a means for replenishing consumed resources or materials, such as the sterilant, pack materials, or indicators, as taught in Kippenhan et. al., used in sterilizing process in a sterilization processing facility.

Regarding claim 42, Price et. al. teach that the network server transmits the electronic information to the client via the computer network (See p. 5, [0083] – transmission of information, e.g. regulatory reports, as needed, via the computer network of system 10; See p. 8, [0119]), but fails to teach that the sterilization material includes electronic information for generation of a printed indicator. Kippenhan et. al. teach a system which stores electronic information relating to at least two types of sterilization procedures, at least two different types of sterilization sensitive indicating inks corresponding to the sterilization procedures, e.g. inks for creating chemical integrator and inks for creating a process indicator), and at least one pattern for printing the inks, e.g. the bar code 405, a rectangular strip 406, or a custom designed shaped for the ink 407 (See col. 24, lines 27-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Price et. al. and Kippenhan et. al. because the system of Price et. al. could be used to determine the consumption of electronic information used for the generation of a printed indicator, as taught in Kippenhan et. al., based on process information received through the network from a client, where the determination of the consumed quantity triggers the network server of the network to transmit the electronic information to the client via the computer network.

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Regarding claim 43, Price et. al. teach that the network server processes an order for delivery of a quantity of a material to the client (See p. 8, [0119-0120] – service provider 11 evaluates possible suppliers to respond to a customer's order, which results in the delivery of a quantity of material to the customer via the computer network and the network server associated therewith), but fails to teach the sterilization material includes self-indicating ink. Kippenhan et. al. teach a system which stores electronic information relating to at least two types of sterilization procedures, at least two different types of sterilization sensitive indicating inks corresponding to the sterilization procedures, e.g. inks for creating chemical integrator and inks for creating a process indicator), and at least one pattern for printing the inks, e.g. the bar code 405, a rectangular strip 406, or a custom designed shaped for the ink 407 (See col. 24, lines 27-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system of Price et. al. to process an order for an additional quantity of material, such as the self-indicating inks of Kippenhan et. al., in response to a determination of consumption of the self-indicating inks, as taught by Price et. al.

3. Claims 10, 15, 27 and 32 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. and Kippenhan et. al., as applied to claims 9 and 1 and 26 and 30 as described above in paragraph 2 respectively, and further in view of McGown, Jr. [U.S. Patent Publication No. 2002/0119074].

Regarding claim 10, Price et. al. and Kippenhan et. al. teach the method as described above in paragraph 2. Price et. al. and Kippenhan fail to teach that the report includes sterilization processing characteristics for the individual sterilization loads, the sterilization processing characteristics for each load including at least one type of sterilizer, sterilizer identification, cycle time, sterilization time, temperature, pressure, humidity, and sterilant

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concentration. McGowan, Jr. teaches the method for sterilization of medical articles where sterilization-processing characteristics for individual sterilization loads are identified. These sterilization processing characteristics include the type of sterilizer, the concentration of the mixture being used, the temperature, pressure, and humidity of the system that acts upon the sterilization load or article (See p. 1, [0006] and p.4, [0042]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and methods of Price et. al. and Kippenhan et. al. for sterilization processing characteristics, as taught by McGowan, Jr., in order for sterilization process facilities and sterilization management facilities to manage the sterilization of individual loads or packs and illustrate compliance with internal and external local, state, and federal regulatory requirements.

Regarding claim 15, Price et. al. and Kippenhan et. al. teach the method as described above in paragraph 2. Price et. al. further teach receiving an order from the facility (See p. 8, [0119] – process of receiving a customer order for waste management); and processing the order to direct delivery to the facility (See p. 8, [0119] – processing that order based on the requirements of the customer and delivery services to the facility).

Price et. al. and Kippenhan et. al. fail to teach that the order is for sterilization materials. McGowan, Jr. teaches the use of sterilization materials – sterilizing gases – for sterilizing medical articles (See p. 1, [0042]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Price et. al. and Kippenhan et. al. with the sterilizing materials, as taught in McGowan, Jr., because the methods of Price et. al. and Kippenhan et. al. would provide the process for receiving and processing an order for sterilization materials, such as the sterilizing gases, as taught in McGowan, Jr., when a sterilization facility's source of sterilant gases are exhausted by the sterilization process in sterilizing the medical articles of McGowan, Jr.'s system.

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Regarding claim 27, Price et. al. and Kippenhan et. al. teach the system as described above in paragraph 2. Price et. al. and Kippenhan fail to teach that the report includes sterilization processing characteristics for the individual sterilization loads, the sterilization processing characteristics for each load including at least one type of sterilizer, sterilizer identification, cycle time, sterilization time, temperature, pressure, humidity, and sterilant concentration. McGowan, Jr. teaches the method for sterilization of medical articles where sterilization-processing characteristics for individual sterilization loads are identified. These sterilization processing characteristics include the type of sterilizer, the concentration of the mixture being used, the temperature, pressure, and humidity of the system that acts upon the sterilization load or article (See p. 1, [0006] and p.4, [0042]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and methods of Price et. al. and Kippenhan et. al. for sterilization processing characteristics, as taught in McGowan, Jr., in order for sterilization process facilities and sterilization management facilities to manage the sterilization of individual loads or packs and illustrate compliance with internal and external local, state, and federal regulatory requirements.

Regarding claim 32, Price et. al. and Kippenhan et. al. teach the system as described above in paragraph 2. Price et. al. further teach the network server receives an order from the facility (See p. 8, [0119] – system 10 and associated network server receives a customer order for waste management); and processes the order to direct delivery to the facility (See p. 8, [0119] – system 10 and associated network server processes that order based on the requirements of the customer and delivery services to the facility).

Price et. al. and Kippenhan et. al. fail to teach that the order is for sterilization materials. McGowan, Jr. teaches the use of sterilization materials – sterilizing gases – for sterilizing medical articles (See p. 1, [0042]). It would have been obvious to one of ordinary skill in the art at the

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time the invention was made to incorporate the teachings of Price et. al. and Kippenhan et. al. with the sterilizing materials, as taught in McGowan, Jr., because the systems of Price et. al. and Kippenhan et. al. would provide the system for receiving and processing an order for sterilization materials, such as the sterilizing gases, as taught in McGowan, Jr., when a sterilization facility's source of sterilant gases are exhausted by the sterilization process in sterilizing the medical articles of McGowan, Jr.'s system.

4. Claims 16 and 33 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. and Kippenhan et. al., as applied to claims 1 and 30 as described above in paragraph 2, and further in view of MacLeod Beck et. al. [U.S. Patent Publication No. 2002/0055853].

Regarding claim 16, Price et. al. and Kippenhan et. al. teach the method as described above in paragraph 2. Price et. al. further teach providing access to the process information (See p.2, [0020]; See p. 5, [0084] – system 10 provides the vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] coupled to system 10 via the Internet, a WAN, Intranet or other known communication system with access to the process information). Price et. al. fail to teach that the accessible process information pertains to sterilization processes and materials and further fail to teach the step of providing interactive communication between technical personnel knowledgeable in sterilization processes and sterilization facility personnel. Kippenhan et. al. further teach sterilization process information pertaining to sterilization processes and sterilization materials (See p. 1, lines 11-14 – sterilization indicators, sterilization information, and methods of monitoring articles to be sterilized). MacLeod Beck et. al. teach providing interactive communication through diverse interactive media (DIM), e.g. a network, between technical personnel knowledgeable in particular products and processes (See p. 24, [0278] – technical support between knowledgeable technical personnel with customers via a

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network, e.g. web-based chat room, video-conferencing facility, etc.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the interactive communication between technical personnel knowledgeable with the products and processes of a particular industry or facility, as taught in Macleod Beck et. al. with the process of Price et. al. and the sterilization process information, as taught by Kippenhan et. al., because providing access to the process information and interactive communication between technical personnel knowledgeable with the sterilization processes and materials and sterilization facility personnel provides customer support and technical support to the sterilization production facilities from other experienced and knowledgeable facilities, waste management facilities, and experts and technical support with regulatory compliance requirements. Such a system provides a means of interactive customer support between the customer and a vendor – a relationship provided by many technical service-providing industries today.

Regarding claim 33, Price et. al. and Kippenhan et. al. teach the system as described above in paragraph 2. Price et. al. further teach the network server provides access to the process information (See p.2, [0020]; See p. 5, [0084] – system 10 provides the vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] coupled to system 10 via the Internet, a WAN, Intranet or other known communication system with access to the process information). Price et. al. fail to teach that the accessible process information pertains to sterilization processes and materials and further fail to teach the system provides interactive communication between technical personnel knowledgeable in sterilization processes and sterilization facility personnel. Kippenhan et. al. further teach sterilization process information pertaining to sterilization processes and sterilization materials (See p. 1, lines 11-14 – sterilization indicators, sterilization information, and methods of monitoring articles to be sterilized). MacLeod Beck et. al. teach a network server provides interactive communication

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through diverse interactive media (DIM) between technical personnel knowledgeable in particular products and processes (See p. 24, [0278] – technical support between knowledgeable technical personnel with customers via a network, e.g. web-based chat room, video-conferencing facility, etc.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the interactive communication between technical personnel knowledgeable with the products and processes of a particular industry or facility, as taught in Macleod Beck et. al. with the system of Price et. al. and the sterilization process information, as taught by Kippenhan et. al., because providing access to the process information and interactive communication between technical personnel knowledgeable with the sterilization processes and materials and sterilization facility personnel provides customer support and technical support to the sterilization production facilities from other experienced and knowledgeable facilities, waste management facilities, and experts and technical support with regulatory compliance requirements. Such a system provides a means of interactive customer support between the customer and a vendor – a relationship provided by many technical service-providing industries today.

5. Claims 17 and 34 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. and Kippenhan et. al., as applied to claims 1 and 18 as described above in paragraph 2, and further in view of Stames et. al. [U.S. Patent Publication No. 2002/0194014].

Regarding claim 17, Price et. al. and Kippenhan et. al. teach the method as described above in paragraph 2. Price et. al. and Kippenhan et. al. fail to teach the method further including accumulating information concerning best practices and trends in sterilization processing from multiple network clients; and providing access to the best practices and trends information via the network. Stames et. al. teach the method of accumulating information

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concerning best practices and trends in the legal and regulatory compliance industry from multiple clients; and providing access to the best practices and trends information via the network (See p. 3, [0035-0038] – host computer 12 connected via a local area network, WAN, the Internet, or other network stores or accumulates a plurality of databases – those databases including best practice solutions to particular business activities – and trends – articles written by experts, real-time notifications of recent developments in the field of insurance underwriting, information on hiring and recruitment, regulatory and legal compliance, etc. – information and provides users via user computers 14 with access to the information via the network). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the methods of Stames et. al. for accumulating best practice and trends information and providing access to such information through the methods, as taught by Price et. al. and Kippenhan et. al. because the best practice and trends information can be used by network clients to optimize their own respective sterilization processes, preventing network clients from making the mistakes experienced by other network clients within the network of entities, plants, vendors, etc.

Regarding claim 34, Price et. al. and Kippenhan et. al. teach the system as described above in paragraph 2. Price et. al. and Kippenhan et. al. fail to teach the network server accumulates information concerning best practices and trends in sterilization processing from multiple network clients; and providing access to the best practices and trends information via the network. Stames et. al. teach a system with a network server, which accumulates information concerning best practices and trends in the legal and regulatory compliance industry from multiple clients; and provides access to the best practices and trends information via the network (See p. 3, [0035-0038] – host computer 12 connected via a local area network, WAN, the Internet, or other network stores or accumulates a plurality of databases – those databases

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including best practice solutions to particular business activities – and trends – articles written by experts, real-time notifications of recent developments in the field of insurance underwriting, information on hiring and recruitment, regulatory and legal compliance, etc. – information and provides users via user computers 14 with access to the information via the network). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the system of Starnes et. al., where the network server accumulates best practice and trends information and providing access to such information through the systems, as taught by Price et. al. and Kippenhan et. al. because the best practice and trends information can be used by network clients to optimize their own respective sterilization processes, preventing network clients from making the mistakes experienced by other network clients within the network of entities, plants, vendors, etc.

6. Claims 45-46 and 48-49 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. in view of Kippenhan et. al. and Roddy et. al. [U.S. Patent Publication No. 2003/0055666].

Regarding claim 45, Price et. al. teach a method comprising: receiving process information from a facility via a computer network (See p. 4, [0074] – system 10 is configured to receive process information or data 130 related to the production and management of waste components from waste production and vendor waste management/processing facilities via a computer network; See p.2, [0020]; See p. 5, [0084]—vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] are coupled to system 10 via the Internet, a WAN, Intranet or other known communication system). The process information relates to waste processing requirements of a waste producing facility, evaluated waste processing capabilities of a plurality of vendors (See p. 1, [0017]), processing dates, associated costs, and volume of

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waste components processed (See p. 4, [0075]), etc.); determining consumption of a quantity of a material by the facility based on the process information received from the facility; and processing an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11 receives process information from a customer. In step 1004, service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. Service provider 11 uses the process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. Service provider 11 processes the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material); generating a report that indicates compliance with process standards based on the process information (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports to illustrate that the entity profile of the waste production and/or processing facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators); and providing a reviewer with access to the report via the computer-network (See p. 5, [0087] – corporate office 28 has access via the Internet and internal PCs through the network to system 10, allowing it to ensure compliance of processing facilities with the network with internal and regulatory requirements, i.e. reviewing the processing information for compliance with a process standard). Price et. al. fail to teach the step of scheduling maintenance for equipment associated with the facility based on the process

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information received and further fail to teach that the process information pertains to sterilization process information. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles. Roddy et. al. teach a method for managing remote assets where maintenance is scheduled for equipment based on process information (See p.9, [0077] – repair facility 22 performs an inspection on the remote asset and based on its scheduled maintenance, which is contained within a computer or any other location accessible through the global information network 15, where a signal is sent to the communication element 112 and instructs the element to transmit information or data on all monitored parameters 142. Based on historical data, the system creates a report and sent to the owner, via the Internet, identifying necessary scheduled maintenance, and scheduling maintenance for the remote access). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the step of scheduling maintenance for facility equipment, as taught by Roddy et. al., with the method, as taught by Price et. al., for managing sterilization process information, as taught by Kippenhan et. al., because such a process allows for the management of sterilization process information via a computer network, where the computer network utilizes receives sterilization process information to determine the consumption of a quantity of sterilization material used in the sterilization processes, to replenish the consumed materials for future processes, and to schedule maintenance based on the amount of use of equipment used in the sterilization procedures of the particular facility. Price et. al.'s method allows for multiple facilities to be managed via a central system and for review of the efficiency and operation of the system's performance by a network client, e.g. an entity reviewing the system.

Regarding claim 46, Price et. al. teach that the network client is a regulatory agency or an audit organization (See p. 5, [0083] – system 10 through step 440 generates regulatory

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reports for local, state or federal regulators; See p. 5, [0087] – corporate office 28 represents an audit organization because it is responsible for ensuring that an entity is in compliance with internal and regulatory requirements while reviewing reports on activities of multiple plants.

Regarding claim 48, Price et. al. teach a system comprising: a client computer, associated with the facility, that transmits process information via a computer network (See p. 5, [0085] – personal computers (PCs) or other devices known to those of ordinary skill in the art associated with a facility, e.g. entities 20 and 30; plants, 22, 24, and 26; and vendors 40, 60, and 80, transmit process information via the computer network); and a network server that determines consumption of a quantity of a material by the facility based on the process information received from the facility; processes an order for delivery of an additional quantity of the material to the facility based on the determination (See p. 8, [0119] – service provider 11 receives process information from a customer. In step 1004, service provider 11 evaluates the order requirements for the customer by item. Generally, an order comprises one or more items for that customer, e.g. materials used for that facility's processes. Service provider 11 uses the process information contained within the order to determine a consumption of a quantity of an item, such as a material used in the processes of the facility. Service provider 11 processes the order for delivery of an additional quantity of material to the facility based on the determination and the waste management data of the suppliers. The suppliers and the supplier sets are determined in step 1006 and notified of the pending order in step 1008. Once the supplier responses are received in step 1010, service provider 11 evaluates the supplier responses and chooses which supplier will fill the order for replenishing the consumed material); generates a report that indicates compliance with process standards based on the process information (See p. 4 [0074] & See p. 5, [0083] – system 10 arranges the information by producing or auto-generating reports to illustrate that the entity profile of the waste production and/or processing

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facilities and the processing data 130 associated therewith is in compliance with a process standard as defined by local, state or federal regulators); and provides a reviewer with access to the report via the computer network (See p. 5, [0087] – corporate office 28 has access via the Internet and internal PCs through the network to system 10, allowing it to ensure compliance of processing facilities with the network with internal and regulatory requirements, i.e. reviewing the processing information for compliance with a process standard). Price et. al. fail to teach that the network server schedules maintenance for equipment associated with the facility based on the process information received and further fail to teach that the process information pertains to sterilization process information. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles. Roddy et. al. teach a system for managing remote assets where maintenance is scheduled for equipment based on process information (See p.9, [0077] – repair facility 22 performs an inspection on the remote asset and based on its scheduled maintenance, which is contained within a computer or any other location accessible through the global information network 15, where a signal is sent to the communication element 112 and instructs the element to transmit information or data on all monitored parameters 142. Based on historical data, the system creates a report and sent to the owner, via the Internet, identifying necessary scheduled maintenance, and scheduling maintenance for the remote access). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the network which schedules maintenance for facility equipment, as taught by Roddy et. al.; with the system, as taught by Price et. al., which manages sterilization process information, as taught by Kippenhan et. al., because such a system allows for the management of sterilization process information via a computer network, where the computer network utilizes receives sterilization process information to determine the consumption of a quantity of sterilization material used in

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the sterilization processes, to replenish the consumed materials for future processes, and to schedule maintenance based on the amount of use of equipment used in the sterilization procedures of the particular facility. Price et. al.'s system allows for multiple facilities to be managed via a central system and for review of the efficiency and operation of the system's performance by a network client, e.g. an entity reviewing the system.

Regarding claim 49, Price et. al. teach that the network client is a regulatory agency or an audit organization (See p. 5, [0083] – system 10 through step 440 generates regulatory reports for local, state or federal regulators; See p. 5, [0087] – corporate office 28 represents an audit organization because it is responsible for ensuring that an entity is in compliance with internal and regulatory requirements while reviewing reports on activities of multiple plants.

7. Claims 47 and 50 are rejected under 35 U.S.C. 103 as being unpatentable over Price et. al., Kippenhan et. al. and Roddy et. al., as applied to claims 45 and 48 and described above in paragraph 6, and further in view of McGown, Jr.

Regarding claim 47, Price et. al., Kippenhan et. al., and Roddy et. al. teach the method as described above in paragraph 6. They fail to teach that the report includes sterilization processing characteristics for the individual sterilization loads, the sterilization processing characteristics for each load including at least one type of sterilizer, sterilizer identification, cycle time, sterilization time, temperature, pressure, humidity, and sterilant concentration. McGowan, Jr. teaches the method for sterilization of medical articles where sterilization-processing characteristics for individual sterilization loads are identified. These sterilization processing characteristics include the type of sterilizer, the concentration of the mixture being used, the temperature, pressure, and humidity of the system that acts upon the sterilization load or article (See p. 1, [0006] and p.4, [0042]). It would have been obvious to one of ordinary skill in the art

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at the time the invention was made to use the system and methods of Price et. al., Kippenhan et. al., and Roddy et. al. for sterilization processing characteristics, as taught by McGown, Jr., in order for sterilization process facilities and sterilization management facilities to manage the sterilization of individual loads or packs and illustrate compliance with internal and external local, state, and federal regulatory requirements.

Regarding claim 50, Price et. al., Kippenhan et. al., and Roddy et. al. teach the system as described above in paragraph 6. They fail to teach that the report includes sterilization processing characteristics for the individual sterilization loads, the sterilization processing characteristics for each load including at least one type of sterilizer, sterilizer identification, cycle time, sterilization time, temperature, pressure, humidity, and sterilant concentration. McGowan, Jr. teaches the method for sterilization of medical articles where sterilization-processing characteristics for individual sterilization loads are identified. These sterilization processing characteristics include the type of sterilizer, the concentration of the mixture being used, the temperature, pressure, and humidity of the system that acts upon the sterilization load or article (See p. 1, [0006] and p.4, [0042]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system and methods of Price et. al., Kippenhan et. al., and Roddy et. al. for sterilization processing characteristics, as taught by McGown, Jr., in order for sterilization process facilities and sterilization management facilities to manage the sterilization of individual loads or packs and illustrate compliance with internal and external local, state, and federal regulatory requirements.

8. Claim 53 is rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. in view of Kippenhan et. al. and MacLeod Beck et. al.

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Price et. al. teach the method comprising: providing access to information via a computer network (See p.2, [0020]; See p. 5, [0084] – system 10 provides the vendors 40, 60, and 80, and entities 20 and 30 [and other associated network clients] coupled to system 10 via the Internet, a WAN, Intranet or other known communication system with access to process information). Price et. al. fail to teach that the accessible process information pertains to sterilization processes and materials and further fail to teach the step of providing interactive communication between technical personnel knowledgeable in sterilization processes and sterilization facility personnel. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles, where the sterilization process information pertains to sterilization processes and sterilization materials (See p. 1, lines 11-14 – sterilization indicators, sterilization information, and methods of monitoring articles to be sterilized). MacLeod Beck et. al. teach providing interactive communication through diverse interactive media (DIM), e.g. a network, between technical personnel knowledgeable in particular products and processes (See p. 24, [0278] – technical support between knowledgeable technical personnel with customers via a network, e.g. web-based chat room, video-conferencing facility, etc.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Price et. al., Kippenhan et. al., and MacLeod Beck et. al. because Price et. al. teaches the methods for a computer network which provides access to information, where it would have been obvious for such a system to be used with sterilization process information – materials and processes – as taught by Kippenhan et. al., for managing the exchange of information for sterilization procedures across a network of entities, vendors, and suppliers and for providing an interactive network of technical support and exchange of expertise between technical personnel

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knowledgeable about the processes and personnel related to sterilization and organizations or entities associated therewith.

9. Claim 54 is rejected under 35 U.S.C. 103 as being unpatentable over Price et. al. in view of Kippenhan et. al. and MacLeod Beck et. al.

Price et. al. teach a system comprising: a client computer, associated with a facility, that transmits process information via a computer network (See p. 5, [0085] – personal computers (PCs) or other devices known to those of ordinary skill in the art associated with a facility, e.g. entities 20 and 30; plants, 22, 24, and 26; and vendors 40, 60, and 80, transmit process information via the computer network); and a network server that provides access to information relating to process information via the client computer and a computer network (See p. 5, [0085 & 0087] – network server associated with system 10 which provides access to information relating to process information via the PCs and the computer network [WAN, LAN, Internet, etc]). Price et. al. fail to teach that the information relates to sterilization materials and sterilization processes and fail to provide interactive communication between technical personnel knowledgeable in sterilization processes and personnel of the sterilization facility via the client computers and the computer network. Kippenhan et. al. teach methods and apparatus related to sterilization process information used for monitoring the sterilization of articles, where the sterilization process information pertains to sterilization processes and sterilization materials (See p. 1, lines 11-14 – sterilization indicators, sterilization information, and methods of monitoring articles to be sterilized). MacLeod Beck et. al. teach providing interactive communication through diverse interactive media (DIM), e.g. a network, between technical personnel knowledgeable in particular products and processes (See p. 24, [0278] – technical support between knowledgeable technical personnel with customers via a network,

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e.g. web-based chat room, video-conferencing facility, etc.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Price et. al., Kippenhan et. al., and MacLeod Beck et. al. because Price et. al. teaches the system for a computer network and its associated network server which provides access to information, where it would have been obvious for such a system to be used with sterilization process information – materials and processes – as taught by Kippenhan et. al., for managing the exchange of information for sterilization procedures across a network of entities, vendors, and suppliers – via personal computers (PCs) associated with each client, and for providing an interactive network of technical support and exchange of expertise between technical personnel knowledgeable about the processes and personnel related to sterilization and organizations or entities associated therewith.

Response to Arguments

10. Applicant's arguments, see pages 13-21, filed 3 February 2005, with respect to the rejection(s) of claim(s) 1-52 under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection(s) are made in view of newly found prior art, as identified above in paragraphs 2-9, for claims 1, 3-6, 8-18, 20-23, 25-38, 40-43, 45-50, and 53-54.

Allowable Subject Matter

11. Claims 39 and 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter: Claims 39 and 44 include the limitations for a method and system, wherein the sterilization process information includes characteristics of a sterilization process, and a method or the network server identifies a type of sterilization material based on the characteristics of the sterilization process. Price et. al. teach a method and system for managing process information via a computer network, which receives process information from a facility, determines consumption of a quantity of material, and processes an order for an additional quantity of such material, but fail to teach the method further identifying or a network server which identifies a type of material based on the characteristics of the sterilization process. Kippenhan et. al. teach process information and characteristics of a process, but fail to teach the method for identifying a sterilization material based on the characteristics of the sterilization process. None of the references teach the claimed limitations nor would it have been obvious to combine references to achieve the claimed inventive subject matter; thus, claims 39 and 44 are free of the prior art and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Y. Chin whose telephone number is 571-272-2071. The examiner can normally be reached on Monday – Friday, 8:00 A.M. – 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sun (John) Kim, can be reached at 571-272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

byc
May 3, 2005


JOHN KIM
SUPERVISORY PATENT EXAMINER